

Bath & North East Somerset Council

MEETING:	Council
MEETING DATE:	26 May 2020
TITLE:	Annual Report of the Charitable Trust Board
WARD:	All
AN OPEN PUBLIC ITEM	

1 THE ISSUE

- 1.1 The purpose of this report is to update the Council on the work of the Charitable Trust Board over the past year.

2 RECOMMENDATIONS

- 2.1 To note the report.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The purpose of the Charitable Trust Board is to facilitate the management of the charitable trusts for which the Council is the sole trustee; independently, in accordance with their governing documents and in the best interests of the charity. Currently the only charitable trust which the Board oversees is the Alice Park Trust. This is managed by a Sub-Committee consisting of three voting members (elected members of the Council) and two independent non-voting members.
- 3.2 The Charitable Trust Board is satisfied that the finances of the charity are being managed adequately with the support of the Council's finance team. Its accounts and annual report were submitted to the Charity Commission within the required statutory timescales.

4 THE REPORT

4.1 Meetings and Membership

- 4.1.1 The Charitable Trust Board has met twice in the last municipal year, in July 2019 and January 2020.

- 4.1.2 The current membership of the Charitable Trust Board is:

Cllr Paul Crossley (Chair)

Cllr Rob Appleyard

Cllr Paul Myers

Cllr Mark Roper

Cllr Joanna Wright

There is currently a vacancy on the Board for an Independent Member which has not been filled for some time. This vacancy has now been advertised and interviews will take place later in the year.

5.1 Activities Undertaken

5.1.1 The Charitable Trust Board is satisfied that the Alice Park Trust is:

- Being managed in pursuit of its charitable purposes.
- Financially solvent.
- Acting within the requirements of its governing documents.
- Dealing with its regulatory and public accountability obligations.

5.1.2 The Board also considered a request from a third party to transfer responsibility for the Alice Park Trust (as sole corporate trustee) to an independent community led initiative. At its last meeting the Board asked officers to prepare a report for consideration following a review of the governance arrangements for the Alice Park Trust Sub-Committee along with the merits and risks of a potential transfer of responsibility to a third party as compared to the current arrangements. Members decided to retain the sole trusteeship delivery model for the governance of the Trust.

5.1.3 The Board also asked the Alice Park Trust Sub-Committee to produce a 10-year plan for the Trust with the aim of becoming financially sustainable. The local community will be consulted on the draft plan. The Sub-Committee will also put forward proposals for a suitable community engagement model for consideration at the next meeting of the Charitable Trust Board.

5.1.4 The Board also considered a report regarding 4 The Circus, Bath and requested officers to appoint three Trustees to the Frances Georgina Cooke charity to fill existing vacancies.

5.2 Finances of the Alice Park Trust Sub-Committee

5.2.1 Expenditure incurred for Alice Park Trust in 2018/19 was £38,378; this was offset by income of £15,786.

5.2.2 The deficit of £22,592 has been subsidised from the Bath & North East Somerset Council Parks revenue budget, to ensure the Trust operates on a going concern basis. This is the same process that has been undertaken in previous years.

- 5.2.3 Net Assets of the Trust are valued at a cost of £189,734. Net assets include investments held, land at Alice Park, car park, cottage number one, tea chalet and storage shed, public conveniences, tennis courts, garden shelter and play equipment.
- 5.2.4 The accounts for 2018/19 have been prepared by the Council's Finance team and have been independently audited by the Audit West Team.
- 5.2.5 The accounts for the Trust are prepared on a cash basis, in line with reporting requirements and guidelines issued by the Charity Commission.
- 5.2.6 An annual report for the Trust has also been prepared for submission to the Charity Commission.
- 5.2.7 The park was open for public access throughout the year, including use of the tennis courts and tea chalet (although the closure of some facilities has recently been necessary due to the current Covid-19 outbreak) and has been suitably maintained. The cottage property was let and the income used in the upkeep of the park.
- 5.2.8 At the last meeting of the Charitable Trust Board a query was raised about the accuracy of the accounts that have been submitted to the Charity Commission. The Section 151 Officer has responded to the member of the public who raised the query stating that there is no need for the accounts to be restated as the categorisation of income as presented does not compromise their accuracy. However, the presentation issue raised by the member of the public will be taken on board for future years.

6 RATIONALE

- 6.1 Under its terms of reference the Charitable Trust Board is required to submit an annual report to the Council.

7 OTHER OPTIONS CONSIDERED

- 7.1 None.

8 CLIMATE CHANGE

- 8.1 This is an internal matter, so climate change considerations are not relevant.

9 CONSULTATION

- 9.1 The Section 151 and Monitoring Officer have had opportunity to review and input into this report.

10 RISK MANAGEMENT

- 10.1A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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Background papers	None
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